

## **REMARKS**

### **I. Status of the Claims**

Claims 1-10 are currently pending in this application. By this Amendment, claims 1, 3 and 7-10 have been amended, and claims 2 and 4-6 have been canceled without prejudice or disclaimer. No new matter has been introduced by this Amendment.

Upon entry of this Amendment, claims 1, 3 and 7-10 would be pending.

### **II. Drawings**

The drawings filed on March 10, 2004 have been objected to by the Examiner. The Examiner states that Figures 7A and 7B should be designated by a legend such as --Prior Art--. Applicant has amended Figures 7A and 7B to conform with the Examiner's suggestions. Thus, withdrawal of the objection is respectfully requested.

### **III. Specification**

The specification has been objected to by the Examiner due to some informalities. In particular, at page 8, line 15, the word "reticle101" should have a space between "reticle" and "101", and at page 22, line 11, a typographical error of the word "err" should be corrected. Applicant has amended the specification to correct the word "reticle101" to --reticle 101--. As to the word "err", Applicant respectfully submits that this word is a verb whose infinitive form is "to err" which for example means to make an error or mistake. Thus, the word "err" is believed to be a typographical error. Thus, withdrawal of the objection is respectfully requested.

### **IV. Rejections under 35 U.S.C. § 102**

Claims 1-3, 5, 9 and 10 are rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 4,798,470 to Moriyama et al. ("Moriyama"). Claims 1-5 and 7-10 are rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 6,040,096 to Kakizaki et al. ("Kakizaki").

Claim 1, as amended, is directed to an arrangement which includes a reticle chuck for holding the reflection reticle by electrostatic suction, and a reference surface providing in the reticle chuck. The reference surface is located in an area corresponding to a reticle pattern of the reflection reticle which is held by the reticle chuck, and the reference surface is located substantially at a position corresponding to the center of the reflection reticle which is held by the holding reticle chuck.

The exposure apparatus can be measured on the basis of the center position of the reticle, and can reduce the measurement error of the reticle position by thermal expansion.

On the other hand, Moriyama relates to a transmission reticle. Moriyama thus does not teach a reference surface is located in the area corresponding to the reticle pattern of the reticle or the position corresponding to the center of the reticle in an optical design. Moreover, since the conventional exposure apparatus using the reflection reticle is exposed in the atmosphere, it does not use an electrostatic chuck. In other words, the conventional exposure apparatus uses a vacuum absorption chuck, and does not have the problem of the thermal expansion.

Therefore, Moriyama does not disclose or suggest the arrangement of claim 1, as amended (noted above).

Kakizaki also does not disclose or suggest the arrangement of claim 1, as amended (noted above).

Accordingly, claim 1 and its dependent claims are distinguishable over the cited references. For similar reasons, claim 9 is also believed to be distinguishable over the cited references.

**V. Rejections under 35 U.S.C. § 103**

Claim 6 is rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Kakizaki in view of U.S. Patent Application Publication No. 2002/0145714 to Hirayanagi (“Hirayanagi”).

Claim 6 has been canceled without prejudice or disclaimer rendering this rejection moot.

**CONCLUSION**

Based on the foregoing amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of this application.

**AUTHORIZATION**

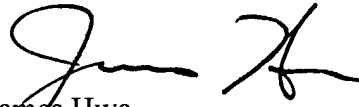
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-5339. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No 13-4500, Order No. 1232-5339. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: 12/21/05

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**Amendments to the Drawings:**

The attached sheet of drawing includes changes to Figs. 7A and 7B. These changes are summarized below:

In Fig. 7A, a legend --PRIOR ART-- has been added.

In Fig. 7B, a legend --PRIOR ART-- has been added.

Attachment: One (1) Replacement Sheet